IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

THURSDAY, THE 21ST JUNE 2007 / 31ST JYAISHTA 1929

OP.No. 10229 of 2003(P)

PETITIONER:

P.K.SUDHEER, AGED 35 YEARS,
S/O. PARAKKOTIL KUMARAN, KATTAPPURAM,
KARIMBUZHA VILLAGE, OTTAPPALAM TALUK,
PALAKKAD DISTRICT

BY ADV. SRI.C.C.THOMAS

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY
CHIEF SECRETARY, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM

2. THE ASST. EXCISE COMMISSIONER, PALAKKAD

3. THE DEPUTY TAHSILDAR (RR), OTTAPPALAM,
PALAKKAD DISTRICT

4. THE EXCISE COMMISIONER,
THIRUVANANTHAPURAM.

BY ADV. SRI. K.R. DEEPA, GOVERNMENT PLEADER

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 21/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: PHOTOCOPY OF THE NOTICE DATED 08.10.2002 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONERS WITH STATEMENT.

EXT.P2: PHOTOCOPY OF THE REVENUE RECOVERY NOTICE DATED 27.12.2002 ISSUED BY THE 3RD RESPONDENT.

EXT.P3: PHOTOCOPY OF THE G.OS NOS. 88/2000/TD DATED 02.06.2000 AND G.O.(P) NO. 143/2000/TD DATED 30.09.2000.

EXT.P4: PHOTOCOPY OF THE ORDER DATED 03.05.2002 IN CMP NO. 20289/2002 IN OP. NO. 12129/2002 OF THIS HON'BLE COURT.

ORDER ON C.M.P. NO. 17629/2003 IN W.P.(C) NO. O.P. NO. 10229/2003

DISMISSED

21.06.2007 SD/- KURIAN JOSEPH, JUDGE.

/True Copy/

P.A to Judge.

KURIAN JOSEPH , J

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O.P. NO. 10229 OF 2003

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Dated this the 21st day of June, 2007.

JUDGMENT

The issue raised in this writ petition regarding the interest for the additional tax for transportation of toddy is covered in favour of the petitioner by the decision of this Court in Writ Appeal No. 1041/2006. For parity of reasons, the impugned judgments in this case are also quashed.

The original petition is allowed accordingly.

KURIAN JOSEPH, JUDGE.

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